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Federal Communications Commission  
Washington, D.C. 20554

CC 92-77  
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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

November 15, 1994

DOCKET FILE COPY ORIGINAL

The Honorable Calvin Dooley  
U.S. House of Representatives  
1227 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Dooley:

Thank you for your letter on behalf of Tom Clark, Sheriff-Coroner, Public Administrator, Office of Sheriff, County of Kings, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice sought comment on this analysis and asked interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invited parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost. Reply comments were due September 14, 1994. Presently, the Commission is evaluating the comments submitted and considering the implementation of BPP along with other options.

The Further Notice also explicitly sought comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice sought additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also sought comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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The Honorable Calvin Dooley  
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Thank you for your interest in this proceeding. Mr. Tom Clark's correspondence will be placed in the Federal Communications Commission record. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kathleen M.H. Wallman", with a long, sweeping horizontal line extending to the right.

Kathleen M.H. Wallman  
Chief  
Common Carrier Bureau

Enclosures

**CALVIN M. DOOLEY**  
20TH DISTRICT, CALIFORNIA



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92-77  
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**AGRICULTURE COMMITTEE**  
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**Congress of the United States**  
**House of Representatives**

October 20, 1994

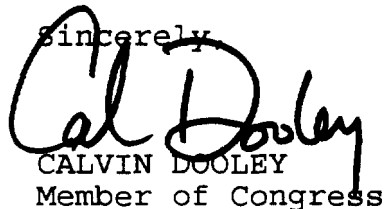
The Honorable Reed Hundt  
Chairman  
Federal Communications Commission  
1919 M Street NW  
Washington, D.C. 20554

Dear Chairman Hundt:

I am writing to request that you insert the attached letter from Mr. Tom Clark, into the Federal Communications Commission record, FCC Docket number 92-77, concerning the Billed Party Preference.

Thank you for your assistance with this request.

Sincerely,

  
CALVIN DOOLEY  
Member of Congress

CD:dg



OFFICE OF

**SHERIFF**

COUNTY OF KINGS

P.O. BOX 986  
HANFORD, CALIF. 93232  
PHONE 209/582-3211

**RECEIVED**

JUL 27 1994

CONGRESSMAN DOOLEY  
CA

TOM CLARK  
SHERIFF-CORONER  
PUBLIC ADMINISTRATOR

July 22, 1994

The Honorable Calvin Dooley  
224 W. Lacey Blvd.  
Hanford, CA 93230

Dear Congressman Dooley:

As A California Sheriff, and a jail administrator, I am requesting your help. The Federal Communications Commission has an issue before it that has a distinct impact on my agency's jails. The issue is the "Billed Party Preference" BPP system for 0+interlata pay phone traffic rules. I am asking that you help me convince the FCC to exclude local jails from the BPP system.

As you are aware, most California counties have severe fiscal problems, and Kings County is no exception. The wrong decision regarding our inmate telephone system by the FCC will only worsen the already bleak financial situation. The decision to not exclude jails from the BPP also would seriously hamper the administration and security of jails.

Our telephone systems are specifically designed for inmate use. We have analyzed the security and administration needs of our facilities, and find it necessary to route inmate calls through a single carrier. The carrier is equipped to handle inmate calls under contract with this agency. The carrier, who we know and trust, coordinates the inmate calls out of the facilities. If local jails are not excluded from the BPP, inmate calls would be routed to a number of different carriers, none of whom will have an obligation to us, let alone having any training in inmate calling.

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Our telephone systems are not a luxury, they are required to meet regulations, and to comply with the law as interpreted, and directed by the courts. If our phone provider, who installed, and maintained their equipment in my facility cannot make a profit, their only choice is to pull out. The tax payers of Kings County could not afford to replace the system if our current carrier were forced to leave. Most other agencies would be in the same situation.

The State of California has statutes that provide programs, services, and facilities for inmates through an inmate welfare fund. Our telephone system provides the inmate welfare fund a revenue that Kings County could not replace. The telephone revenue is a primary source of funding for the inmate welfare fund. The funds provide adult education, GED programs, basic literacy, English as a second language, and religious services. We purchase recreation equipment, equip a law library, and regular library, also from the fund. The revenue from our phone system even aids in supplying indigent inmates with personal hygiene supplies, such as toothpaste, tooth brushes, combs, etc. We pay staff to administer the inmate welfare program from the inmate welfare fund.

Our inmate telephone system is also designed to help prevent fraud and abuse, as well as provide critical management information to jail administrators. The system allows us to quickly block calls to protect victim and witnesses from intimidation. We have the ability to rapidly determine when, where and to who calls were placed. This is valuable information on other criminal activity, such as, escapes or the smuggling of contraband, which often involves the help from the outside.

The BPP should be excluded from local jails based on the afore information. Please assist us in opposition to the application of "Billed Party Preference" at inmate facilities.

I would appreciate your help in this matter.

Sincerely,



Tom Clark, Sheriff  
Coroner, Public Administrator

cc: California State Sheriff's Association  
California Board of Corrections  
Federal Communication Commission